

Application No. 10/656,741
Response to Action mailed 11/03/2005

Attorney's Docket No. 0220-071

REMARKS

Claims 1-20 and 22 are pending. Claims 1, 7, 17, 18, and 22 have been amended. Claim 21 has been canceled.

The withdrawal of the objections to the disclosure and the previous rejections is gratefully acknowledged.

After the current Action, the status of the claims is as follows:

claims 1-3 and 6 stand rejected under 35 U.S.C. § 102(e) for anticipation by U.S. Patent No. 6,405,139 to Kicinski et al. ("Kicinski");

claim 4 stands rejected under 35 U.S.C. § 103(a) for obviousness over a combination of Kicinski and U.S. Patent No. 6,151,206 to Kato et al. ("Kato");

claim 5 stands rejected for obviousness over a combination of Kicinski and U.S. Patent No. 6,697,262 to Adams et al. ("Adams");

claims 7-11 and 16 stand rejected under Section 102(b) for anticipation by U.S. Patent No. 5,343,361 to Rudy, Jr., et al. ("Rudy");

claims 7, 10, 12, 13, and 17-20 and 22 stand rejected under Section 102(e) for anticipation by U.S. Patent No. 6,661,677 to Rumney ("Rumney"); and

claims 14 and 15 stand rejected for obviousness over a combination of Rumney and Kato.

As pointed out in the previous Amendment, the claims define methods and apparatus that address, among other things, a problem with crowded remote terminal (RT) cabinets for telecommunications.

Claim 1 defines an apparatus that includes a housing attachable to a portion of a surface and having a channel covered by a cover panel opposite the portion of the surface and at least one mounting member on the housing for attaching the housing to the surface.

Kicinski's Fig. 1 shows a prior-art wall-mounted junction box. See Kicinski, col. 1, ll. 38-46. The Action points to a number of un-labeled pieces of the junction box in Kicinski's Fig. 1 in support of its anticipation rejections of claims 1-3 and 6.

As currently amended, claim 1 also provides for a slot formed between the cover panel and the portion of the surface that is capable of receiving the at least one module by moving the at least one module into the slot in a direction parallel to the cover panel.

Application No. 10/656,741
Response to Action mailed 11/03/2005

Attorney's Docket No. 0220-071

It should be apparent from simple inspection that Kicinski's wall-mounted junction box does not include a slot as claimed.

Because Kicinski does not disclose all of the features of independent claim 1 arranged as in that claim, Kicinski cannot be said to anticipate claim 1 or any of claims 2, 3, and 6 that depend on it. Accordingly, it is respectfully requested that the anticipation rejections based on Kicinski be reconsidered and withdrawn.

With respect to the obviousness rejection of claim 4 over a combination of Kicinski and Kato, all that Kato appears to describe is accessories that can be connected to other devices, such as laptop computers. Thus, Kato does not supply the features that are absent from Kicinski as described above with respect to claim 1, from which claim 4 depends. Moreover, Kato says nothing about and would be unusable with the junction boxes described in Kicinski.

Because no combination of Kicinski and Kato discloses all of the features recited by claim 4, and there appears to be no reasonable motivation to combine such disparate documents, the cited documents are insufficient as bases for a *prima facie* case of obviousness. Accordingly, it is respectfully submitted that the obviousness rejection of claim 4 be reconsidered and withdrawn.

With respect to the obviousness rejection of claim 5 over a combination of Kicinski and Adams, all that Adams appears to describe is a device for mounting electronics in the dashboard of a vehicle. Thus, like Kato, Adams does not supply the features that are absent from Kicinski as described above with respect to claim 1, from which claim 5 depends. Moreover, Adams says nothing about and would be unusable with the junction boxes described in Kicinski.

Because no combination of Kicinski and Adams discloses all of the features recited by claim 5, and there appears to be no reasonable motivation to combine such disparate documents, the cited documents are insufficient as bases for a *prima facie* case of obviousness. Accordingly, it is respectfully submitted that the obviousness rejection of claim 5 be reconsidered and withdrawn.

Claim 7 defines a housing that includes first, second, and third panel members, a cover panel member, and at least one mounting member capable of mounting the housing to a surface. See, e.g., FIG. 1.

Application No. 10/656,741

Attorney's Docket No. 0220-071

Response to Action mailed 11/03/2005

As pointed out in the previous Amendment, Rudy discloses a more or less well known "card cage" for printed circuit cards. See Rudy's FIG. 2. The current Action characterizes Rudy's wall 20 as the claim's first panel member, wall section 202 as the claim's second panel member, wall 18 as the claim's third panel member, right side wall 16 as the claim's cover panel member, struts 216 as the claim's mounting member, and rear wall 14 as the claim's surface.

As currently amended, claim 7 also provides that at least one of the first and third panel members includes the at least one mounting member, and the surface and cover panel members are opposite each other. It should be apparent from simple inspection of Rudy's FIG. 2 that Rudy's struts 216 are not included on either wall 18, 20 and that Rudy's rear wall 14 and right side wall 16 are not opposite each other as claimed.

Because Rudy does not disclose all of the features of independent claim 7 arranged as in that claim, Rudy cannot be said to anticipate claim 7 or any of claims 8-11 and 16 that depend on it. Accordingly, it is respectfully requested that the anticipation rejections based on Rudy be reconsidered and withdrawn.

Turning to the anticipation rejections of claims 7, 10, 12, and 13 and of claims 17 and 18-22, Rumney describes a disk drive cage that is similar in important respects to Rudy's card cage. In particular, Rumney does not teach anything like first and/or third panel members that include at least one mounting member, or surface and cover panel members that are opposite each other, as required by claim 7 as currently amended. Independent claims 17 and 18 have been similarly amended.

Because Rumney does not disclose all of the features of independent claims 7, 17, and 18 arranged as in those claims, Rumney cannot be said to anticipate claims 7, 17, or 18 or any of claims 10, 12, 13, 19, 20, and 22 that depend on ones of them. Accordingly, it is respectfully requested that the anticipation rejections based on Rumney be reconsidered and withdrawn.

With respect to the obviousness rejections of claims 14 and 15 based on a combination of Rumney and Kato, it should be apparent that Kato does not supply the missing features of Rumney described above in connection with claim 7, from which claims 14 and 15 depend. Moreover, it is difficult to see why an artisan would have

Application No. 10/656,741

Attorney's Docket No. 0220-071

~~Response to Action mailed 11/03/2005~~

even thought to combine Rumney's disk drive cage with Kato's accessory devices and how to have done so.

Because no combination of Rumney and Kato discloses all of the features recited by claims 14 and 15, and there appears to be no reasonable motivation to combine such disparate documents, the cited documents are insufficient as bases for a *prima facie* case of obviousness. Accordingly, it is respectfully submitted that the obviousness rejections of claims 14 and 15 be reconsidered and withdrawn.

This application is believed to be in condition for allowance. An early Notice of same is respectfully solicited. If the Examiner has any questions, the undersigned attorney may be telephoned at the number given below.

Respectfully submitted,



Michael G. Savage
Registration No. 32,596

Filed February 3, 2006

Potomac Patent Group PLLC
P.O. Box 270
Fredericksburg, VA 22404
Tel: 919 677 9591